

Article - Health - General

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§4–214.

(a) A certificate or record registered under this subtitle may be amended only in accordance with this subtitle and any rules and regulations that the Secretary adopts to protect the integrity and accuracy of vital records.

(b) (1) If any certificate of birth, death, or fetal death is amended, the facts shall be certified to the Secretary and entered on the original certificate with the date of the amendment, over the signature or initials of a designee of the Secretary and with a line drawn through the original data.

(2) All amendments may be stored on electronic media approved by the Secretary.

(3) All copies of certificates that are amended shall contain a notation that an amendment has been made.

(4) A record shall be maintained which identifies the evidence upon which the amendment was based, the date of the amendment, and the identity of the person making the amendment.

(5) When an informant does not submit the minimum documentation required in the regulations for amending a vital record or when the Secretary has cause to question the validity or adequacy of the applicant's sworn statements or the documentary evidence, and if the deficiencies are not corrected, the Secretary shall not amend the vital record and shall advise the applicant of the reason for this action and shall further advise the applicant of the right of appeal to the Office of Administrative Hearings.

(6) (i) Except as provided in subparagraph (ii) of this paragraph, any amendments to death certificates requested beyond 3 years or more after the death shall require a court order.

(ii) The Office of the Chief Medical Examiner may amend the cause of death on a certificate of death at any time after registration without a court order.

(c) (1) Except as provided in § 4–211(f) of this subtitle, on receipt of a court order that changes the name of an individual who was born in this State and

on request of the individual or a parent, guardian, or legal representative of the individual, the Secretary shall amend the certificate of birth to reflect the new name.

(2) (i) The Department may change the name on a birth certificate once without a court order if, within 12 months after the birth, the Department receives from both parents named on the birth certificate of the child or, if only one parent is named, the parent named on the birth certificate of the child:

1. A written request for the change of name; and
2. An affidavit that has been sworn before a notary public of the State and states that the individual is the parent of the child and is making the request of the individual's own free will.

(ii) If the Department receives an affidavit in accordance with subparagraph (i)2 of this paragraph from both parents named on the birth certificate of the child, only one affidavit signed by both parents is required.

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